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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/661,357	09/12/2003	Gunter Homes	22674	6768

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EXAMINER

LE, MARK T

ART UNIT

PAPER NUMBER

3617

DATE MAILED: 12/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/661,357	HOMES, GUNTER	
	Examiner	Art Unit	<i>MJ</i>
	Mark T. Le	3617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 10/22/04.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1,3,5-10,12-15,17 and 18 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1, 3, 5-10, 12-15 and 17-18 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/7/04</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This communication is responsive to the amendments filed on October 22, 2004. Applicant's amendments and remarks have been carefully considered.
2. Claims 10, 12-15 and 17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 10, 12-15 and 17 are indefinite because they depend (either directly or indirectly) from cancelled claims 2 and 4.

3. Due to the nature of indefiniteness of claims 10, 12-15 and 17, these claims can not be further treated on the merits.
4. Claims 1, 3 and 5-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Norton (US 6,722,287) in view of Stinson (US 4,668,008).

Norton discloses a railroad box car, similar to that recited in the instant claims, including inner and outer skins 61, 54, a mass of foam 58, air conditioning means 140,142, and sliding doors on rollers that are supported on upper and lower tracks as shown in Figure 1A. However, it is noted that the sliding doors of Norton do not extend substantially a full longitudinal length of the interior space of the car.

Stinson discloses a boxcar structure; wherein, one of the sidewalls includes at least two sliding doors that extend "substantially" the full longitudinal length of the interior space of the car so as to enhance cargo loading and unloading speed and flexibility.

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In view of Stinson, it would have been obvious to one skilled in the art to modify the sliding door arrangement of Norton into a larger sliding door arrangement, in a manner similar to that taught by Stinson, so as to enhance cargo loading and unloading speed and flexibility. Note that two sliding doors of Stinson are readable as extending "substantially" the full longitudinal length of the interior space of the car, as recited in the instant claim.

5. Claims 1, 3 and 5-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Norton (US 6,722,287) in view of Kampmann (US 3,828,693).

Norton discloses a railroad box car, similar to that recited in the instant claims, including inner and outer skins 61, 54, a mass of foam 58, air conditioning means 140,142, and sliding doors on rollers that are supported on upper and lower tracks as shown in Figure 1A. However, it is noted that the sliding doors of Norton do not extend substantially the full longitudinal length of the interior space of the car.

Kampmann discloses a boxcar structure; wherein, one of the sidewalls includes two sliding doors, each of which consists of two door sections 5 located on a side of post 4. Note that the two sliding doors (consist of four sections 5) of Kampmann extend "substantially" the full longitudinal length of the interior space of the car

In view of Kampmann, it would have been obvious to one skilled in the art to modify the sliding door arrangement of Norton into a larger sliding door arrangement, in a manner similar to that taught by Kampmann, so as to facilitate cargo loading and unloading.

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6. Claims 1, 3, 5-9 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Norton (US 6,722,287) in view of Kramer (US 3,999,489).

Norton discloses a railroad box car, similar to that recited in the instant claims, including inner and outer skins 61, 54, a mass of foam 58, air conditioning means 140,142, and sliding doors on rollers that are supported on upper and lower tracks as shown in Figure 1A. However, it is noted that the sliding doors of Norton do not extend substantially a full longitudinal length of the interior space of the car.

Kramer discloses a boxcar structure; wherein, one of the sidewalls includes at least two sliding doors 45 and 46 extending "substantially" the full longitudinal length of the interior space of the car.

In view of Kramer, it would have been obvious to one skilled in the art to modify the sliding door arrangement of Norton into a larger sliding door arrangement, in a manner similar to that taught by Kramer, so as to facilitate cargo loading and unloading.

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark T. Le whose telephone number is 703-308-3663. The examiner can normally be reached on Mon-Fri (8:00-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Samuel Morano can be reached on 703-308-0230. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Mark T. Le
Primary Examiner
Art Unit 3617

mle
12/01/04